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**PLEASE REPLY TO  
FORT LEE OFFICE**

October 31, 2024

**VIA ECF**

Honorable Peggy Kuo

United States District Court

Eastern District of New York

225 Cadman Plaza East

Brooklyn, New York 11201

**Re: *Hernandez v. Sun Fish Inc. et al.*  
Civil Action No. 1:23-cv-1246**

Your Honor:

My firm represents the Defendants, in the above-captioned matter. I write jointly with the Plaintiff's Counsel.

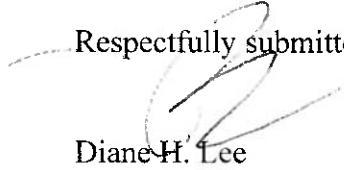
The parties were heard on September 12, 2024 regarding Defendant Kim's availability for a deposition. Your Honor directed the Parties to file a joint status report by today (Dkt. text dated September 12, 2024).

I have been in touch with Defendant Kim and I am advised that he is waiting for his doctor's assessment within the next week and will advise me as soon as it is available. In light of the uncertain timetable, the Parties respectfully submit that they are unable to propose a timeframe in which Defendant Kim's deposition can be conducted and the Defendant's additional responses to the Plaintiff's documents can be served to the extent that the responsive documents are found. The parties, therefore respectfully request that the deadline to complete fact discovery be adjourned *sine die*.

Honorable Peggy Kuo  
October 31, 2024  
Page 2

We thank the Court for its attention to and consideration of this request.

Respectfully submitted,



Diane H. Lee

Cc: All counsel of record (via ECF)